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VIA ELECTRONIC FILING

Honorable Brian M. Cogan
United States District Judge
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: USA v. Thomas Gioeli, et al., 08 Cr. 240 (S-4) (BMC)

Dear Judge Cogan:

I am the attorney assigned to represent the defendant Michael Catapano in the above-referenced case. Please accept this letter as a request to adjourn Mr. Catapano's Fatico hearing and sentencing which are presently scheduled for November 4, 2010 at 10:00 a.m.

I request the adjournment of the Fatico hearing and sentencing as I require additional time to review the thousands of pages of 3500 material which the government provided to me on Thursday October 28, 2010. I note that the 3500 material includes, *inter alia*, a large portion of the transcribed testimony of two prior trials and approximately one thousand pages of FBI 302s alone.

Because of the above, I request that this Court grant an adjournment until November 16, 2010 at 10:45 a.m. I note that AUSA Elizabeth Geddes consents to the adjournment and has informed that she will be producing one sole witness at the Fatico hearing (Special Agent Vincent D'Agostino).

I thank the Court for its time and consideration.

Respectfully submitted,

Emily R. Daniel

Emily R. Daniel, Esq.

cc: AUSA Elizabeth Geddes